

REVISIONS

2/22/2022
Revised 6/20/2022
Rezoning Petition No. 2022-03

–**Proposed Uses:** Up to 192 multi-family residential dwelling units and up to 28 townhome style attached units together with accessory uses, as allowed in the R-17MF zoning district.

- c. **Graphics and Alterations.** The schematic depictions of lot uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

- i. minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

2. **Number of Buildings Principal and Accessory.** The total number of principal residential buildings to be developed on the Site shall not exceed thirteen (13). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal buildings located on the Site.

- a. Access to the Site will be from Old Statesville Road and Gibbon Road as generally depicted on the Rezoning Plan.
- b. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts, and any adjustments required for approval by CDOT in accordance with published standards.
- c. Public Street A and Public Street B shall be provided as generally depicted on the Rezoning Plan.
- d. All transportation improvements that are the responsibility of the Petitioner, shall be approved and constructed prior to the issuance of the first certificate of occupancy for the Site subject to the Petitioner's ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.

- a. A twenty (20) foot setback will be provided along Gibbon Road and Old Statesville Road as generally depicted on the Rezoning Plan.
- b. A twelve (12) foot multi-use path and an eight (8) foot planting strip shall be provided along Gibbon Road and Old Statesville Road.
- c. An eight (8) foot sidewalk and an eight (8) foot planting strip shall be provided along Public Street A and Public Street B.
- d. Along the Site's internal parking areas, the Petitioner will provide a sidewalk and crosswalk network that links to the building on the Site and to the sidewalks along the abutting public streets. The minimum width for this internal sidewalk will be five (5) feet.
- e. Amendments (a) to include landscape, gathering areas, seating opportunities and/or other similar features.
- f. A fifty (50) foot Class C buffer shall be established along a portion of the Southern and Eastern boundary line of the Site as more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance. This buffer shall remain undisturbed except that the planting of supplemental trees, shrubs, and fence shall be permitted within this buffer and allow a reduction to thirty-seven and a half (37.5) feet.

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits, interior breezeways, and on handrails/railings.
- b. Metal tanks will be screened from adjoining properties and from the abutting public streets.
- c. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
- d. Multi-Family Architectural Elevating Design: elevations shall be designed to create visual interest as follows:
- Building elevations shall be designed with vertical bays or architectural façade features which may include but not be limited to combination of exterior wall offsets, projections, recesses, pilasters, banding, and change in materials or colors.
 - Buildings shall be designed with a recognizable architectural base. Each building will be articulated with a water table of Preferred Exterior Building Materials listed above of a minimum of one and a half (1.5) feet in height.
 - Building elevations facing streets shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- e. Roof form and rooflines shall be designed to avoid the appearance of a large monolithic roof structure through the following standards:
- Long rooflines (pitched or flat) shall avoid continuous expanses without variation by including changes in height and/or roof form (e.g. dormers, gables, etc.).
 - For pitched roofs the allowed minimum pitch shall be 4:12 (four feet in vertical height for every twelve feet in horizontal length), excluding buildings with a flat roof and parapet walls.
 - Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.
- f. Service Area Screening - service areas such as dumpsters, refuse areas, recycling and storage shall be screened from view with materials and design to be compatible with principal structures.

7. **Open Space:**
- a. Open Space areas will be provided as generally depicted on the Rezoning Plan as Green Space. The proposed open space amenity areas will be improved with landscaping, seating areas, hardscape elements, and shade structures as applicable and appropriate to the proposed amenity area.

- a. The Site will comply with Post Construction Ordinance. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
- b. The Site shall comply with the City of Charlotte Tree Ordinance.

10. Detached lighting on the Site, except streetlights located along public streets, will be limited to twenty (20) feet in height except as may be required for public safety purposes.

11. Amendments to the Rezoning Plan:

12. **Binding Effect of the Rezoning Application:**

- the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.